

TENTATIVE RULINGS for CIVIL LAW and MOTION

January 28, 2010

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6941

TENTATIVE RULING

Case: **Knock v. Walnut Terrace Limited Partnership et al.**
Case No. CV PO 08-1669

Hearing Date: **January 28, 2010** **Department Fifteen** **9:00 a.m.**

Defendants' motion for summary judgment is **GRANTED**. (Code Civ. Proc., § 437c, subd. (p).) Defendants met their burden of showing that the cause of action for negligence has no merit because, one or more of the elements of the cause of action for negligence cannot be established. (Civ. Code, § 1714; *Rowland v. Christian* (1968) 69 Cal.2d 108, 118; *Uccello v. Laudenslayer* (1975) 44 Cal.App.3d 504, 514; Defendants' Undisputed Material Facts 1-20; Plaintiff's Undisputed Material Facts 1-6.)

Defendants' objections to Plaintiff's evidence are **SUSTAINED**. (Evid. Code, §§ 210, 350, 720 1200.)

If no hearing is requested, Defendants are directed to prepare a formal order consistent with this ruling and in accordance with Code of Civil Procedure section 437c, subdivision (g) and California Rules of Court, rule 3.1312.

TENTATIVE RULING

Case: **Muharam v. Hubert**
Case No. CV UD 09-3290

Hearing Date: **January 28, 2010** **Department Fifteen** **9:00 a.m.**

Debra Hubert's demurrer to the unlawful detainer complaint is **OVERRULED WITHOUT PREJUDICE**. The proof of service for the demurrer states that a copy of the motion was served on the plaintiff at P. O. Box 295, Knights Landing, CA 95695. The zip code for Knights Landing, CA is 95645 (as stated in the caption of the complaint), not 95695.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Sahi v. Rabon**

Case No. CV PM 09-49

Hearing Date: **January 28, 2010** **Department Fifteen** **9:00 a.m.**

Agri-Comm Express, Inc.'s motion to compel further responses to form interrogatories and motion to compel further responses to requests for identification and production of documents is moot. Plaintiff served verified, amended discovery responses. Agri-Comm Express, Inc.'s requests for monetary sanctions is **DENIED**. The Court finds that monetary sanctions are not warranted in the circumstances before it. (Calif. Rules of Court, rule 3.1348.)

If no hearing is requested, the tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.